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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,947	10/31/2003	Nobuyuki Nonaka	SHO-0047	8932

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EXAMINER

SHAH, MILAP

ART UNIT	PAPER NUMBER
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3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/697,947	Applicant(s) NONAKA, NOBUYUKI	
	Examiner Milap Shah	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 28, 2007 has been entered.

The Examiner acknowledges that claims 1 & 2 were canceled and new claims 6-10 were added. Therefore, claims 6-10 are currently pending.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 6-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Liang et al. (U.S. Patent Application Publication No. 2003/0016318).

Examiner Note: The new claims appear to be claiming the same limitations as previous recitations of independent claim 1, and thus, the previous actions detailed explanations are incorporated herein. Especially the explanation in the previous actions regarding the claimed image display and

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claimed gaming device having the image display, in which the Examiner pointed out the intended use for the image display is in a gaming machine if so desired. Thus, for patentability, claims 6 & 8 simplify to the limitations of the display unit.

Claims 6 & 8: Liang et al. disclose the same invention including a display unit having a plurality of pixels arranged in a matrix extending in an x direction and a y direction perpendicular to the x direction to form an xy plane (figure 3 or 5), each pixel including a first pixel unit and a second pixel unit disposed adjacent to the first pixel unit (figure 3, see a single pixel unit is made up of two sub-pixels or what is considered a first pixel unit and second pixel unit adjacent to the first pixel unit; see a similar layout in figure 5), each one of the first and second pixels units having a first pixel electrode operative to display a first color and a second pixel electrode operative to display a second color different from the first color with the first and second pixel electrodes being arranged in a serial manner relative to each other in an identical manner for each pixel (clearly seen in figure 3 or 5, where in figure 3 three pixel electrodes are used for the three colors of each pixel unit, and figure 5 two pixel electrodes are used for the two colors of each pixel unit; also note the electrodes are arranged in a serial manner across and an identical manner for each pixel), wherein, when at least one pixel is emerged, the same-color pixel electrodes of the at least one pixel are emerged simultaneously (paragraphs 0017 & 0020-0021).

Claims 7 & 9: Liang et al. disclose the pixels are arranged in a matrix in an "xy plane", and as seen in figures 3 or 5, the pixel electrodes of the same color are arranged in the y direction and the same pattern is continuously arranged in the x direction to form a stripe (figures 3 or 5).

Claim 10: Liang et al. disclose a possible intended use of the pixeling method is in a "highly transmissive" liquid crystal display (paragraph 0015; note "on a game board" is considered intended use).

Response to Arguments

Applicant's arguments with respect to claims 6-10 have been considered but are moot in view of the new ground(s) of rejection.

The previous rejection with respect to claims 1 & 2 is withdrawn due to claims 1 & 2 being canceled. A new rejection applying the same prior art, however, in a 35 U.S.C. 102 rejection is shown above with respect to claims 6-10. The Examiner notes, that there appears to be no difference in the claimed limitations with respect to the original claims and past claim amendments, where the present claims appear to be reciting the "same" thing in different wording. The claims still require a pixel having pixel units, where the pixel units have multiple pixel electrodes corresponding to respective colors, and the colors or electrodes for any color across the pixel units are lit simultaneously. Liang et al. disclose each and every limitation. See above rejections.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milap Shah whose telephone number is (571) 272-1723. The examiner can normally be reached on M-F: 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Scott E. Jones". The signature is fluid and cursive, with the first name "Scott" and last name "Jones" clearly legible, and a middle initial "E." in between.

SCOTT JONES
PRIMARY EXAMINER

M.B.S.